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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M. OSHSUGA, et al.
Serial No.: 10/673,221
Filed: September 30, 2003
For: SUCTION DEVICE FOR INTERNAL COMBUSTION ENGINE
Group: 3747
Examiner: M. J. McMahon

TERMINAL DISCLAIMER

Commissioner for Patents
POB 1450
Alexandria, VA 22313-1450

May 2, 2005

Sir:

Your petitioner Hitachi, Ltd., located at 6 Kanda Surugadai 4-Chome, Chiyoda-ku, Tokyo, Japan, represents through the undersigned attorney of record, that it is the sole owner of the entire interest of U.S. Appln. Serial No. 10/673,221, filed September 30, 2003, for SUCTION DEVICE FOR INTERNAL COMBUSTION ENGINE and (1) hereby disclaims the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term, defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any Terminal Disclaimer (if applicable), of U.S. Patent Nos. 6,701,881, issued March 9, 2004; and 6,523,517, issued February 25, 2003, and (2) hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior U.S. Patent Nos. 6,701,881; and 6,523,517 are commonly owned.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

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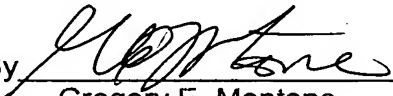
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In making the above disclaimer, the petitioner (owner), however, does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term, defined in 35 U.S.C. §§ 154 to 156 and 173, of prior U.S. Patent Nos. 6,701,881; and 6,523,517, as presently shortened by any Terminal Disclaimer therein (if applicable), as noted above, in the event that prior U.S. Patent Nos. 6,701,881; and 6,523,517 expire for failure to pay a maintenance fee; are held unenforceable; are found invalid; are statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; has all claims canceled by a reexamination certificate; are reissued; or are otherwise terminated prior to the expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

By



Gregory E. Montone
Reg. No. 28,141

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1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209
Tel.: (703) 312-6600
Fax: (703) 312-6666